

## STIC Database Tracking Number:

**To:** LENA NAJARIAN  
**Location:** KNX 5A59  
**Art Unit:** 3600  
**Date:** August 2, 2010  
**Case Serial Number:** 09/777761

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## Search Notes

Dear Examiner **NAJARIAN** :

Please find attached the results of your search for the above-referenced case. The search was conducted in Dialog, the Internet and EBSCO HOST.

I have listed *potential* references of interest in the first part of the search results. However, please be sure to scan through the entire report. There may be additional references that you might find useful.

If you have any questions about the search, or need a refocus, please do not hesitate to contact me.

Thank you for using the EIC, and we look forward to your next search!

*\*EIC-Searcher identified “potential references of interest” are selected based upon their apparent relevance to the terms/concepts provided in the examiner’s search request.*

## **I. Potential References of Interest**

### **A. Dialog**

**0 records found.**

### **II. Inventor Search Results from Dialog**

0 records found.

### III. Abstract Files from Dialog

#### A. All Databases

File 169:Insurance Periodicals 1984-1999/Nov 15  
(c) 1999 NILS Publishing Co.  
File 485:Accounting & Tax DB 1971-2010/Jul W4  
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File 475:Wall Street Journal Abs 1973-2010/Aug 02  
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(c) 2002 Gale/Cengage  
File 256:TecTrends 1982-2010/Jul W4  
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Set	Items	Description
S1	20933	(ACTION OR MARKETING)(8N)(PLAN OR PLANS)
S2	28578	(FINANCIAL OR PRICE OR PRICES)(8N)(RISK OR RISKS)
S3	3083	RISK(8N)(SCORING OR SCORE OR SCORES)
S4	1291	(S1:S3)(8N)(DEVELOPING OR CREATING OR CONSTRUCTING OR CALCULATING)
S5	618883	CROP OR CROPS OR AGRICULTURE
S6	129205	FARM OR FARMS OR FARMING
S7	21592	(NUMERIC OR INCOME OR REVENUE?)(8N)(VALUE OR VALUES OR VALUING)
S8	5229	OVERALL(8N)(RISK OR RISKS)
S9	1134	AU= (MURPHY, G? OR MURPHY G? OR GERALD(2N)MURPHY)
S10	44	S4 AND (S5 OR S6)

S11 3 S10 AND S7  
S12 3 RD (unique items)  
S13 1 S12 AND S8  
S14 51737 S1:S3  
S15 1511 S14 AND (S5 OR S6)  
S16 110 S15 AND S7  
S17 12 S16 AND S8  
S18 11 RD (unique items)  
S19 10 S18 NOT S12  
S20 0 S9 AND S10  
S21 0 S9 AND S14

12/3,K/1 (Item 1 from file: 485)  
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\*\* FULL-TEXT AVAILABLE IN FORMATS 7 AND 9 \*\*  
01074625 SUPPLIER NUMBER: 1162386171  
A NEW ERA OF ROYALTY ACCOUNTING: PRACTICAL ADVICE FOR THE PAYOR  
Keeling, Byron C; Gillespie, Karolyn King  
Petroleum Accounting & Financial Management Journal v25 n2 PP: 19-37  
Summer 2006  
ISSN: 1554-2904 JRNL CODE: APAF  
WORD COUNT: 6768 LINE COUNT: 615

Accounting & Tax DB\_1971-2010/Jul W4  
...TEXT: that its actual revenues (i.e., its downstream sales price)  
increased in proportion with the post-production costs that it desires to  
subtract from its <B> revenues to calculate the wellhead  
**value** or price of its production.29

Colorado has adopted an even more extreme version of the first marketable  
product doctrine than Kansas and Oklahoma. The...

...the historical rule or the first marketable product doctrine.36  
Developments in those states that have adopted the doctrine may help  
producers craft an appropriate **plan** of  
**action** for **calculating** royalties on  
their production in other states.  
Marketability

Of the two components of the first marketable product doctrine, the  
marketability element has received the greatest...Minerals, Inc., 954 P.2d  
1203, 1205 (Okla. 1998).

28 Mittelstaedt, 954 P.2d at 1208.

29 Id. at 1205.

30 See Rogers v. Westerman **Farm** Co., 29 P.3d 887, 906  
(Colo. 2001 ); see also Carman v. Conoco, Inc., 886 P.2d 652, 653 (Colo.

12/3,K/2 (Item 2 from file: 485)  
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\*\* FULL-TEXT AVAILABLE IN FORMATS 7 AND 9 \*\*  
01068359 SUPPLIER NUMBER: 1134049551  
On the hunt for the meaningful segment  
Bielski, Lauren  
American Bankers Association. ABA Banking Journal v98 n9 PP: 45-46,  
48-49, 74 Sep 2006  
ISSN: 0194-5947 JRNL CODE: BNK  
WORD COUNT: 3407 LINE COUNT: 310

Accounting & Tax DB\_1971-2010/Jul W4

...ABSTRACT: behavioral insight. Segmenting is like skinning a cat. Universal segments applicable to all marketing problems do not exist. Finding value in the exercise depends on <B>developing a well-thought-out, well-coordinated **marketing plan** with a series of objectives attached. In an era when execs marvel at analytics and a blizzard of data -- they can also become distracted by...  
...TEXT: issues with segmenting that a bank marketer might stumble into.

"The term is misused a lot-and I think that's where problems with projects **crop** up," says Ellen Joiner, referring to segmentation. Joiner is a global strategist, financial services industry, with SAS, Cary, N.C. What many people call "segments..."

...in online mortgage origination," says Deb Gustafson, industry strategist for financial services, Axiom, Little Rock, Ark.

And, finding value in the exercise depends on **developing** a well-thoughtout, well-coordinated **marketing plan** with a series of objectives attached. Some examples of strategic objectives include: cross-selling HELOCs, figuring out the profit potential of the internet for mortgage...

...and marketing mix-price, distribution, and promotion, etc.

Variables used for segments include region of the world or country, age, gender, sexual orientation, family size, **income**, occupation, socioeconomic status, **values**, attitudes, and behavioral variables.

Depth segmentation: when numerous variables are combined to give an

in-depth understanding of a segment.

Lifestage segment: segments defined largely...

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\*\* FULL-TEXT AVAILABLE IN FORMATS 7 AND 9 \*\*  
00653281  
Statements to the Congress  
Phillips, Susan M; Allison, Theodore E; Greenspan, Alan  
Federal Reserve Bulletin v83 n12 PP: 957-977 Dec 1997  
ISSN: 0014-9209 JRNL CODE: FRS  
WORD COUNT: 16097 LINE COUNT: 1,463

Accounting & Tax DB\_1971-2010/Jul W4

...TEXT: problem. U.S. banks appear to be taking this matter seriously and are generally well under way toward identifying their individual needs and developing action < B > plans. The Federal Reserve and the other federal bank supervisors are reviewing the relevant efforts of every insured depository institution to determine whether adequate progress on...

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\*\* FULL-TEXT AVAILABLE IN FORMATS 7 AND 9 \*\*  
00653281  
Statements to the Congress  
Phillips, Susan M; Allison, Theodore E; Greenspan, Alan  
Federal Reserve Bulletin v83 n12 PP: 957-977 Dec 1997  
ISSN: 0014-9209 JRNL CODE: FRS  
WORD COUNT: 16097 LINE COUNT: 1,463

Accounting & Tax DB\_1971-2010/Jul W4

...TEXT: risk. We have learned that in supervising trading and derivatives activities it is the underlying characteristics of a financial instrument and how it contributes to the < B > overall **risk** profile of the firm—that are important, not the instrument's name. Two instruments that differ in name only may have entirely different treatment under...value but not all positions contributing to the risk. As a result, there could be accounting volatility that bears little relation to an institution's **overall risk** position. Supervisors and analysts will have to strip out the artificially created volatility to assess the true

performance of the firm. On the other hand...problem. U.S. banks appear to be taking this matter seriously and are generally well under way toward identifying their individual needs and developing action

**plans.** The Federal Reserve and the other federal bank supervisors are reviewing the relevant efforts of every insured depository institution to determine whether adequate progress on...

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\*\* FULL-TEXT AVAILABLE IN FORMATS 7 AND 9 \*\*

01096925 SUPPLIER NUMBER: 1288491491

The development of actuarial-based pension accounting at the Bell System, 1913-40

Chandar, Nandini; Miranti, Paul J Jr

Accounting History v12 n2 PP: 205 May 2007

ISSN: 1032-3732 JRNL CODE: ACHI

WORD COUNT: 10789 LINE COUNT: 981

Accounting & Tax DB\_1971-2010/Jul W4

...TEXT: the satisfaction of the economic wants of the elderly frequently came from support rendered by extended family units or from the self-sufficiency inherent in <B>farming life. With industrialization, however, urban workers could neither rely on such sources of assistance; nor did contemporary private and local governmental welfare agencies have the...standard in the insurance industry, also was equivalent to the rate used by AT&T to accrue interest annually on its pension obligation. The present **value** of the pension

**income** at date of grant is equivalent to the total projected pension payment times a four percent annuity factor (FCC, Exhibit 581a, 1936, Appendix 1).

Table...

...in the debt obligations of AT&T and its associated companies.

With each transition in the evolution of a new pension system, the choice of **financial** assets to fund pension obligations increased employee **risk** to the firm. It was not until the 1930s that subsidiaries in Illinois demanded investments in US Treasury securities. This may have resulted from the...

...decline.

The pension learning process at AT&T also suggests that management financing choices were conditioned less by the changes that they wrought on employee **risk** to the firm and more on the

**overall** level of business **risk** and range of investment opportunities open to the firm. During periods of rapid growth and increasing investment opportunity, pension funding decisions increased retirees' exposure to...Funds, Record Group 173, Box 33, College Park, MD: National Archives.

FCC, Exhibit 582a (1936), Appendix 6, Memorandum Prepared Prior to 1933 Presidents' Conference (Yama **Farms**), Bell System Pension Fund Operations.

FCC, Exhibit 583 (1937), US Federal Communications Commission, Accounting Department-Telephone Investigation, Special Investigation Docket No.1, Report on Administrative...

19/3,K/2 (Item 2 from file: 485)  
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\*\* FULL-TEXT AVAILABLE IN FORMATS 7 AND 9 \*\*  
01000722 SUPPLIER NUMBER: 760513581  
SPECULATIONS ON THE IDEA OF "SPECULATION" IN TRUST INVESTING: AN ESSAY\*  
Dobris, Joel C  
Real Property, Probate & Trust Journal v39 n3 PP: 439-508 Fall 2004  
ISSN: 0034-0855 JRNL CODE: ARPP  
WORD COUNT: 14664 LINE COUNT: 1,333

Accounting & Tax DB\_1971-2010/Jul W4  
...TEXT: trustee could buy a put option on the stock, giving the trustee a right to sell the stock at a future time for a predetermined <B> price. This way, the trustee limits the **risk** of the stock's devaluation to the predetermined **price** (called the strike price) without being forced to take the taxable gain. Courts have recognized this type of hedging as a form of "price insurance..."

...not automatically follow.

Most inappropriate investments are inappropriate because they are too risky for the particular portfolio or because the trustee has undertaken too much **overall risk**. Thus, considering another example is appropriate. We now live in a world in which any number of individual investors, and undoubtedly some trustee-investors, seek...

...174

The trust instrument may expressly allow or even require an undiversified portfolio.<sup>175</sup> For example, imagine a trust that holds a family business or **farm**, and the trustee is encouraged or directed to hold the corpus intact. Imagine further a court inferring such limits on the trustee when the grantor...

...investments or the use of risky techniques), a portfolio can be too

conservative as well.<sup>186</sup> Given the duty to seek to maintain the real **value** of the **income** stream and the remainder and given the reality that no risk equals no reward, an action for maintaining a portfolio that is too conservative for...

...the importation of excess risk into a fiduciary portfolio. The modern investor recognizes a variety of risks, with the most important being volatility risk (the **risk** of the rise and fall in the **price** of the assets held).<sup>212</sup> Both the income beneficiary and remainder beneficiary worry about volatility-the former about the risk of a declining income stream...

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\*\* FULL-TEXT AVAILABLE IN FORMATS 7 AND 9 \*\*  
00955360 SUPPLIER NUMBER: 373327951  
Brownfields: The last opportunity investment at the end of this real estate cycle?  
Mueller, Glenn R; Crean, Michael J  
Real Estate Finance v19 n3 PP: 12 Oct 2002  
ISSN: 0748-318X JRNL CODE: RFN  
WORD COUNT: 3344 LINE COUNT: 304

Accounting & Tax DB\_1971-2010/Jul W4  
...TEXT: the next market up-cycle. Brownfields may be one of the few opportunities for investors to find welllocated properties with strong demand potential at reasonable < B> prices with low market and lease-up **risks**.<sup>1</sup> This assumes, however, that investors are able to overcome the unique brownfields risks that have scared investors away from brownfields investments in the past...

...in showing consistent research findings about the magnitude or persistence of price impacts from the effect of environmental contamination or negative externalities on real estate **prices**. The **risks** that investors have perceived in the past are such that equity and debt capital is scarce, if not unavailable, for brownfields. In addition, environmental regulations...  
...or perceived), it will be passed over for any other site that is a reasonable substitute, even if the contaminated property has a below-market **price**. The additional time, effort, headaches, and **risks** of remediation don't seem interesting, reasonable, or profitable to most investors or developers. Most brownfields redevelopments to date have required government support or subsidy...

...well defined and a government approval of the cleanup is received (via

no-action letter), then the only remaining risks are B3 and loss in **value** due to stigma. If the property is producing **income** at high levels and the investors' costs are lower than a comparable non-contaminated property, the total return on the investment can be higher for...

...some or all of the remediation expenses. For a new developer/investor, the brownfields with a zero land cost along with funded remediation lowers the **overall** redevelopment **risk** substantially (see Figures 3 and 4).

Paying a normal price for a piece of land and then adding the extra environmental remediation costs, soft costs...

...Greenfields development may, and often does, result in unintended but nonetheless undesirable consequences, such as urban sprawl, habitat destruction, or loss of land suitable for **agriculture**.  
Redevelopment of brownfields can create economic opportunities through physical improvements, job creation, increased tax revenues, and improved urban planning. By developing brownfields, greenfields may be...

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\*\* FULL-TEXT AVAILABLE IN FORMATS 7 AND 9 \*\*  
00750172 SUPPLIER NUMBER: 41291147  
Fannie Mae and Freddie Mac as investor-owned public utilities  
Seiler, Robert S Jr  
Journal of Public Budgeting, Accounting & Financial Management v11 n1  
PP: 117-154 Spring 1999  
ISSN: 1096-3367 JRNL CODE: PBFM  
WORD COUNT: 13441 LINE COUNT: 1,222

Accounting & Tax DB\_1971-2010/Jul W4  
...TEXT: of each type of institution. As a result, neither a GSE nor a federally insured depository is subject to as much market discipline of its <B>risk-taking as is a **financial** institution that does not benefit from federal credit support. As the exposure to credit risk or interest rate risk of a depository or an enterprise...and Freddie Mac to achieve economies of scale in financing conventional mortgages, and has allowed three other enterprises--the Federal Home Loan Bank System, the **Farm** Credit System, and Sallie Mae--to achieve similar economies in financing other types of loans. As of the end of 1997, the market presence of...and Freddie Mac both enter a new market, they are likely to bring with them not only the capacity to use federal subsidies to lower **prices** for

consumers, but also the **risk** that, if they gain dominant market positions, they will be able to tacitly collude to set prices and earn profits above competitive levels.

Entry into...

...by the enterprise, public costs rise as the GSE receives more federal subsidies by engaging in more borrowing or securitization. If the venture increases the **overall risk** taken by the enterprise and the government does not increase its capital requirements enough to keep its risk exposure unchanged, public costs also increase because...coverage. At the time Fannie Mae first conceived of the MPP, federal law granted two tax benefits to a financial institution that invested in cash-**value** life insurance. First, the investment **income** earned on the up-front premium that the institution paid for the insurance was tax free. Second, the institution continued to deduct 100 percent of...to finance them with equalmaturity debt. (By acquiring large portfolios of non-mortgage assets financed with equal-maturity debt, each enterprise might even reduce its **overall risk** somewhat). By minimizing their **risk**, the GSEs minimize the federal subsidies they receive in financing such assets with debt. Nonetheless, the initiatives do increase federal subsidies, which could fund anticompetitive...

...loans and deemed to be of A or A- quality. Subprime mortgages include both purchase-money and refinance loans.

The mortgage industry is using mortgage **scoring** to quantify the credit **risk** of single-family loans more precisely. By using mortgage scoring, the automated underwriting systems of Fannie Mae and Freddie Mac accept loans that manual underwriting... determines that the program is not authorized by law or is not in the public interest, or the Director of OFHEO determines that the program **risks** significant deterioration of the **financial** condition of the GSE. The Secretary is not required to make an affirmative finding that the public benefits of either enterprise entering a new market...

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\*\* FULL-TEXT AVAILABLE IN FORMATS 7 AND 9 \*\*  
00727857  
A comparison of real estate asset allocations in union and corporate-sponsored defined-benefit pension plans  
Ciochetti, Brian A; Pedrelli, Nino; Schilling, James D

Real Estate Finance v16 n2 PP: 71-85 Summer 1999  
ISSN: 0748-318X JRNL CODE: RFN  
WORD COUNT: 6309 LINE COUNT: 574

Accounting & Tax DB\_1971-2010/Jul W4  
...TEXT: union pension plans are \$12.8 billion.

The blue-collar sample consists primarily of Mineworkers and Construction Trades (56%), Teamsters and Communication Workers (11%), and <B> Farm workers (8%). The corporate-sponsored pension plans are slightly smaller, on average, than the union pension plans. Corporate-sponsored plan assets exhibit a mean of...

...securities and real estate than corporate pension plans, and significantly less of their assets in equities. In union pension plans, 46.1% of pension assets (**value**-weighted) are invested in fixed-**income** securities; in corporate pension plans, some 31.6% of pension assets are invested in fixedincome securities. Additionally, while union pension plans invest some 43.8...

...at the 0.01 level.

What is also striking in Exhibit 1 is that, for both union and corporate pension plans, not only are the **value**-weighted measures of fixed-**income** ownership (weighted by total reported pension plan assets) smaller than the equally weighted measures, but the valueweighted measures of equity and real estate ownership are...of return on real estate necessary to introduce real estate into these portfolios. These estimates are nothing more than a risk-free rate plus a **risk** premium, where both the **price** of **risk** and the quantity of **risk** are specifically defined for a given portfolio.5 Exhibit 14 shows some indicative numbers. It first compares minimum cutoff rates on real estate for all...we would like to extend our evidence to government pension plans. There is a case to be made that government pension plans might improve the **overall risk** and return profile of their portfolios by investing a larger share of their assets in real estate. Government pension plans certainly are the fastest growing...Rise and Fall of Unions: The Private Sector and the Public." Journal of Economic Perspectives, 2 (1988), pp. 89-110.

Sharpe, W.F. "Capital Asset **Prices**: A Theory of Market Equilibrium Under Conditions of **Risk**." Journal of Finance, 1964, pp. 425-442.

Author Affiliation:

BRIAN A. CIOCHETTI, NINO PEDRELLI, AND JAMES D. SHILLING

Author Affiliation:

BRIAN A. CIOCHETTI is a...

19/3,K/6 (Item 6 from file: 485)  
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\*\* FULL-TEXT AVAILABLE IN FORMATS 7 AND 9 \*\*  
00700354  
1998 Wharton survey of financial risk management by US non-financial firms  
Bodnar, Gordon M; Hayt, Gregory S; Marston, Richard C  
Financial Management v27 n4 PP: 70-91 Winter 1998  
ISSN: 0046-3892 JRNL CODE: FMG  
WORD COUNT: 7630 LINE COUNT: 694

Accounting & Tax DB\_1971-2010/Jul W4  
...TEXT: given probability and assumptions about the statistical properties  
of the underlying price processes. It originated as a method for  
controlling trading risks at banks and < B>financial  
institutions but has subsequently been marketed to non-financial  
corporations. Of the derivatives users, 44% indicated that they calculated  
a value at risk measure for...

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\*\* FULL-TEXT AVAILABLE IN FORMATS 7 AND 9 \*\*  
00624593  
Chasing down the devil: Standards of prudent investment under the  
Restatement (Third) of Trusts  
Phillips, W Brantley Jr  
Washington & Lee Law Review v54 n1 PP: 335-385 Winter 1997  
ISSN: 0043-0463 JRNL CODE: AWLL  
WORD COUNT: 24430 LINE COUNT: 2,221

Accounting & Tax DB\_1971-2010/Jul W4  
...TEXT: falls in direct response to general economic conditions that  
affect the entire market.' Modern portfolio theory describes this type of  
risk as "systematic" or "market" < B>risk.' Because market  
**risk** mirrors the fluctuations in the  
**overall** market, such **risk** is  
unavoidable. Nevertheless, because a rising market compensates an investor  
in the form of higher returns, incurring greater market risk is not  
inherently detrimental to...

...investments." Unfortunately, the prudent investor rule fails to identify where the appropriate balance lies.<sup>2</sup> Instead, the Restatement (Third) explains that trustees should consider the

**overall risk** tolerance of a particular trust in relation to its distribution requirements, specific terms, and general purposes.<sup>3</sup> Ultimately, the degree of conservatism required for a...for the surcharge.

Second, the prudent investor rule requires that a fiduciary determine if the risk being undertaken is appropriate for the beneficiaries." Using modern **financial** analysis, a trustee can quantify the level of **risk** associated with a given asset.<sup>197</sup> From these measurements, trustees can counterbalance trust assets so as to virtually eliminate uncompensated risks.<sup>8</sup> Conversely, a lack...

...period, the Sears stock was 60% riskier than the overall market.<sup>107'</sup> In short, retaining the Sears stock as the dominant portfolio asset exposed the **overall** portfolio to an alarming degree of uncompensated **risk**.<sup>202</sup> Under the prudent investor rule, a court likely would find this strategy inappropriate given the purpose behind Mr. Knipp's will and, thus, would...simple: The burden imposed by requiring trustees to monitor each investment individually prompts trustees to limit the number of holdings.<sup>222</sup> Such underdiversification creates greater **overall risk** and lower rates of return for the portfolio.<sup>223</sup> Under the prudent investor rule, the Martin court would have considered how the decisions surrounding the...this newer wealth differs considerably in form from private wealth of the past.<sup>299</sup> Whereas previous generations had wealth comprised primarily of tangible property - like **farms** - people today invest their money in financial assets' - like stocks and bonds. <sup>3'</sup> In fact, for many Americans, pension plan benefits - a form of wealth...See id. at 340 (concluding that resulting tendency to invest in only those investments considered prudent or safe causes underdiversification in portfolio and thereby increases **overall risk** because resulting low rates of return cannot keep pace with inflation).

51. See BEVIS LONGTRETH, MODERN INVESTMENT MANAGEMENT AND THE PRUDENT MAN RULE 14 (1986...knows or should know are relevant to the particular investment or investment course of action involved, including the role the investment or investment course of **action** plays in that portion of the **plan**'s investment portfolio . . . and

(ii) Has acted accordingly.

(2) For purposes of paragraph (b)(1) of this section, "appropriate consideration" shall include, but is not...the same risk, they "covary positively" with respect to that risk.

Id.; cf. Wade, *supra* note 32, at 714 (noting that every security possesses certain **risks** unrelated to **overall** market conditions).

90. See Langbein & Posner, *supra* note 56, at 889 (illustrating

counterbalancing effect of diversification). Professors Langbein and Posner illustrated: The 1973 Arab oil...of systematic risk).

104. See Halbach, *supra* note 8, at 435 (concluding that trustees can prudently employ risky assets in manner reasonably designed to reduce **overall risk** or to achieve higher returns in appropriate circumstances without disproportionate increases in **overall risk** or expense).

Footnote:

105. See generally *RESTATEMENT (THIRD) OF TRUSTS* 227 (1992) (stating "General Standard of Prudent Investment").

106. See Halbach, *supra* note 8, at...

...it can be expected to make to the trust's diversification needs, to fulfilling the trustee's duty of impartiality, and to achieving a desired **overall** level of **risk** and expected return for the trust estate, or perhaps otherwise in terms of a suitable portfolio and strategy for the trust in question. *Id.*

108...caution, and is to be applied to investments not in isolation but in the context of the trust portfolio and as a part of an **overall** investment strategy, which should incorporate **risk** and return objectives reasonably suitable to the trust. *Id.*; see also Halbach, *supra* note 8, at 436 (recommending that trustee's judgment reflect assessment of...

...conservatism in investment continues to flow from duty to use caution, ultimately trustee must make reasonable interpretations and judgments about degree of conservatism required and **overall** degree of **risk** permitted for particular trust).

115. See Willis, *supra* note 52, at 341 (noting that prudent investor rule has one clear message - that no investment or...trust funds primarily in CDs and Government bonds. In the absence of sound reasons for this investment strategy, it appears to favor Roberta with high **income** yield at the expense of the **value** of Richard's future principal due to erosion of the trust principal from inflation. *Id.*

136. See *RESTATEMENT (THIRD) OF TRUSTS* 227 cmt. c (1992...or depreciation").

165. See *RESTATEMENT (THIRD) OF TRUSTS* 205 cmt. a (1992) (explaining that recovery for improper investment by trustee ordinarily is difference between (1) **value** of investment and its **income** at time of surcharge and (2) amount of funds expended in making investment, increased or decreased by amount of total return that would have accrued...).

19/3,K/8 (Item 8 from file: 485)  
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\*\* FULL-TEXT AVAILABLE IN FORMATS 7 AND 9 \*\*  
00623670  
Development and implementation of an integrated portfolio management paradigm  
Ziering, Barry A; Stoesser, Joel W  
Real Estate Finance v14 n1 PP: 21-35 Spring 1997  
ISSN: 0748-318X JRNL CODE: RFN  
WORD COUNT: 8219 LINE COUNT: 747

Accounting & Tax DB\_1971-2010/Jul W4  
... TEXT: risk management practices (e.g., diversification), active versus passive management (e.g., return enhancement through market timing), explicit consideration of leverage, explicit consideration of the <B> value of **income** and/or sales proceeds being retained for portfolio repositioning. While each has a certain degree of theoretical guidance, there is no overriding construct to integrate...

...the decision points along the path can have broad portfolio implications across the risk/return spectrum.

The appropriate starting point is at the mixedasset level:  
**overall** portfolio **risk/return** objective, appropriate mixed-asset allocation to meet those objectives, and subsequent development of individual sector strategies. This sequence is then repeated by the managers...

...made regarding the targeted return for the real estate portfolio.

Equally important, however, is for the investor/client to have a realistic assessment of the **financial risk** that will be commensurate with the targeted return. These risk/return parameters will have a profound influence on all other decisions the portfolio manager is...and structural changes do occur. Consequently, these indicators are subject to variation going forward.

#### Concentration Risk

It is critically important to minimize single-asset "concentration" **risk**. This **risk** can be present at the **overall** portfolio level or in a subportfolio (e.g., the office subportfolio of a multiproperty type portfolio), and can cause significant portfolio turbulence.

Concentration risk can...the context of a particular portfolio's goals and

objectives. The use of explicit assumptions, however, such as diversification objective and maximum threshold on concentration **risk**, taken within the context of an **overall** conceptual portfolio management framework, helps bring focus to the issue.

## Summary

Portfolio managers have heretofore not had the benefit of a conceptual framework that is...industry due to the devastating effects of hurricanes that hit the East Coast. In this case, insurers did not fully recognize, and therefore did not **price**, the higher level of catastrophic **risk**. There were eleven full-blown hurricanes in 1995 and experts say the entire East Coast may be returning to an era in which powerful storms...

19/3,K/9 (Item 9 from file: 485)  
DIALOG(R)File 485: Accounting & Tax DB  
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\*\* FULL-TEXT AVAILABLE IN FORMATS 7 AND 9 \*\*  
00623669  
A revised look at how real estate compares with other major components of domestic investment universe  
Miles, Mike; Tolleson, Nancy  
Real Estate Finance v14 n1 PP: 11-20 Spring 1997  
ISSN: 0748-318X JRNL CODE: RFN  
WORD COUNT: 12395 LINE COUNT: 1,127

Accounting & Tax DB\_1971-2010/Jul W4  
...TEXT: for that asset, which is often difficult to do.

For example, what percentage of all forest land is capable of producing what quality of timber <B> crop? In addition, some of that value has often been counted in the publicly traded universe detailed earlier. In the following section, we subtract the "public...are excluded from the private market estimate reported in Exhibit 6.

The value of the agricultural market is derived from the U.S. Department of **Agriculture**, **Agriculture** Statistics, 1995-1996. Total agricultural acres has declined to 972 million at year-end 1995, but per acre price has increased to \$890 (the latest...  
...Timber Resources Group. The Forest Service estimates 736,681 acres of forest land and 489,555 acres of timberland (that portion capable of providing timber **crops**). Of this total timberland acreage, 27% is government-owned, leaving 358,060 acres available for

private investment.

The Hancock Timber Resources Group puts this number...risk management practices (e.g., diversification), active versus passive management (e.g., return enhancement through market timing), explicit consideration of leverage, explicit consideration of the **value** of **income** and/or sales proceeds being retained for portfolio repositioning. While each has a certain degree of theoretical guidance, there is no overriding construct to integrate...

...the decision points along the path can have broad portfolio implications across the risk/return spectrum.

The appropriate starting point is at the mixedasset level: **overall** portfolio **risk/return** objective, appropriate mixed-asset allocation to meet those objectives, and subsequent development of individual sector strategies. This sequence is then repeated by the managers...

...made regarding the targeted return for the real estate portfolio. Equally important, however, is for the investor/client to have a realistic assessment of the **financial risk** that will be commensurate with the targeted return. These risk/return parameters will have a profound influence on all other decisions the portfolio manager is...and structural changes do occur. Consequently, these indicators are subject to variation going forward.

#### Concentration Risk

It is critically important to minimize single-asset "concentration" **risk**. This **risk** can be present at the **overall** portfolio level or in a subportfolio (e.g., the office subportfolio of a multiproperty type portfolio), and can cause significant portfolio turbulence.

Concentration risk can...the context of a particular portfolio's goals and objectives. The use of explicit assumptions, however, such as diversification objective and maximum threshold on concentration **risk**, taken within the context of an **overall** conceptual portfolio management framework, helps bring focus to the issue.

#### Summary

Portfolio managers have heretofore not had the benefit of a conceptual framework that is...theory or any other diversification algorithm. Still, it is useful to know how a particular portfolio compares to the market as a first indication of **risk** exposure.

3 Likewise in Barron's, the London **Financial** Times, etc.

4 We deal here solely with the U.S., leaving a global as

Footnote:

essment of the investment universe to future work.

5 The...

...companies are included. (Counting all institutions, the stock and bond percents are nearly equal.)

18 Alternatives are similarly underweighted because of the small investment in **agriculture**, which is the largest component of the alternative asset class.

Footnote:

Endnotes

1 While long-term trends provide valuable information regarding historic baseline behavior of different...industry due to the devastating effects of hurricanes that hit the East Coast. In this case, insurers did not fully recognize, and therefore did not **price**, the higher level of catastrophic **risk**. There were eleven full-blown hurricanes in 1995 and experts say the entire East Coast may be returning to an era in which powerful storms...

...rm -rf).

4 The "enhanced core" represents a more expansive version of the traditional baseline core portfolio and may include, without limitation, such things as **agriculture**, timber, etc. Miles [1996] demonstrates the enhanced diversification benefits of this new paradigm and elaborates on its usefulness in deciding how far to go along...

...i.e., are diversified across tenant mix rather than having the idiosyncratic risk associated with just one tenant) did little to protect them from the **overall** market drop, which represented nondiversifiable, systematic **risk**.

7 Since, unlike **financial** assets, real estate is a depreciating asset, and property age is correlated with performance, some portfolios will have property age as one criteria in the...

...referred to in the Real Estate Tactical Plan section of Exhibit 1 addresses the manager nesting process.

Reference:

References

Agricultural Statistics United States Department of **Agriculture**, National Agricultural Statistics Service, 1995-1996.

Benavides, Rosario. "How Big is the World Bond Mar

19/3,K/10 (Item 10 from file: 485)  
DIALOG(R)File 485: Accounting & Tax DB  
(c) 2010 ProQuest Info&Learning. All rights reserved.

\*\* FULL-TEXT AVAILABLE IN FORMATS 7 AND 9 \*\*  
00501365  
The rationales for the rules: How to think about derivatives in the tax  
world  
Ferguson, Bradford L  
Taxes v72 n12 PP: 995-1026 Dec 1994  
ISSN: 0040-0181 JRNL CODE: ATAS  
WORD COUNT: 31454 LINE COUNT: 2,859

Accounting & Tax DB\_1971-2010/Jul W4  
...TEXT: of tax policy, there is an understandable resistance to having the  
categories defined in terms of differences in form that are unaccompanied  
by differences in <B> risk (and return potential). Given the  
countless **financial** profile variations -- i.e.,  
countless gradations of **risk** (and return) modification  
-- achievable through derivatives, any categorization process based on  
degrees of risk is extraordinarily untidy.

#### EXAMINING THE RETURNS FROM DERIVATIVES

A threshold question...abuses of various transaction forms such as  
straddles. It has proven to be difficult to stop the abuses without also  
discouraging useful capital raising, investing, **risk**  
managing and **financial** market making activities. Recent  
legislative and regulatory activity has attempted, with mixed results, to  
refine the balance between these competing considerations.

IV. ORIGINAL ISSUE, STAND...until maturity or other disposition of the  
obligation.(27) Differences in tax rates, including the presence of  
tax-exempt and foreign entities, diminish the therapeutic  
**value** of rules having countervailing effects on taxable  
**income** of the counterparties. In addition, a quest for  
symmetrical results between counterparties in a particular transaction can  
be futile when one or both of the...function of bringing related market  
prices into alignment.(81) Or, it may be a combination of inventory and an  
accompanying hedge used to protect against **price**  
**risk**. Neither of these non-OISA arrangements involves a  
passive investor seeking compensation for someone else's use of the  
investor's money, and neither typically...of transactions that are  
potentially affected. A farmer who uses a short corn futures contract to  
protect against a decline in prices for his corn **crop**  
has a straddle. A banker using interest rate swaps to hedge against  
interest rate risk associated with its interest-sensitive loans and

borrowings may have...achieved through derivatives has not generally resulted in a deemed disposition and resulting acceleration of gain or loss recognition with respect to commodities or fungible **financial** instruments(96) whose **risk** is reduced by the derivative.

## CHARACTER TRANSFORMATION RULES

Overview of Character Transformation Rules. Rules affecting the character of non-OISA transactions involving derivatives do not...hedging transaction is a transaction that a taxpayer enters into in the normal course of the taxpayer's trade or business primarily-

- (i) to reduce **risk** of **price** changes or currency fluctuations with respect to ordinary property [as defined in the regulations] that is held or to be held by the taxpayer; or
- (ii) to reduce **risk** of interest rate or **price** changes or currency fluctuations with respect to borrowings made or to be made, or ordinary obligations [as defined in the regulations] incurred or to be...will generally have the effect of converting the built-in gain to ordinary income.

Therefore, in instances where a straddle has reduced the taxpayer's **risk** so substantially that the **overall** transaction is deemed to be equivalent to debt, Section 263(g) and new Section 1258 overlap. In combination, the two provisions effectively deny capital gain...  
...that the relief from multiple taxation of corporate earnings distributed to corporate shareholders is not to apply in instances where the corporation has reduced its **risk** with respect to the stock so that the **overall** investment is closer economically to a **low-risk** debt investment in the issuer. However, the rule is not limited to situations involving the debt-equivalence standard of Section 1258. It applies in instances...As will be discussed, infra, this combination of a relatively riskless cash flow for a debt instrument held to maturity, coupled with a much higher **risk** of pre-maturity **price** changes in the instrument, has created problems in devising tax rules for debt instruments and derivatives related to debt instruments.

### 8. In the case of...less loan-like.

However, it is generally not advantageous for an option holder to exercise before maturity because, in exercising the holder exposes himself to **risk** of adverse **price** movements beyond merely the loss of his premium and does not generally obtain any additional potential for gain. Early exercise may be beneficial under some ...would be a "hedging transaction" because it was entered into "in the normal course of the taxpayer's trade or business primarily... [t]o reduce **risk** of **price** changes... with respect to ordinary property...that is held...by the taxpayer." Reg. sec 1.1221-1(b).

132. In this case, the **risk of price** changes would be with respect to ordinary property "to be held" by the taxpayer. Id.

133. S. REP. No. 313, 99th Cong., 2d Sess. 451...

## **IV. Fulltext Files from Dialog**

### **A. Fulltext Databases**

File 324:GERMAN PATENTS FULLTEXT 1967-201029  
(c) 2010 UNIVENTIO/THOMSON

File 325:Chinese Patents Fulltext 1985-20100714  
(c) 2010. SciPat Benelux NV.

File 348:EUROPEAN PATENTS 1978-201030  
(c) 2010 European Patent Office

File 349:PCT FULLTEXT 1979-2010/UB= 20100729|UT= 20100722  
(c) 2010 WIPO/Thomson

File 9:Business & Industry(R) Jul/1994-2010/Jul 30  
(c) 2010 Gale/Cengage

File 16:Gale Group PROMT(R) 1990-2010/Jul 30  
(c) 2010 Gale/Cengage

File 20:Dialog Global Reporter 1997-2010/Aug 02  
(c) 2010 Dialog

File 15:ABI/Inform(R) 1971-2010/Jul 31  
(c) 2010 ProQuest Info&Learning

File 148:Gale Group Trade & Industry DB 1976-2010/Jul 30  
(c) 2010 Gale/Cengage

File 160:Gale Group PROMT(R) 1972-1989  
(c) 1999 The Gale Group

File 275:Gale Group Computer DB(TM) 1983-2010/Jun 21  
(c) 2010 Gale/Cengage

File 610:Business Wire 1999-2010/Aug 02  
(c) 2010 Business Wire.

File 613:PR Newswire 1999-2010/Aug 02  
(c) 2010 PR Newswire Association Inc

File 621:Gale Group New Prod.Annou.(R) 1985-2010/Jun 10  
(c) 2010 Gale/Cengage

File 636:Gale Group Newsletter DB(TM) 1987-2010/Jul 30  
(c) 2010 Gale/Cengage

File 624:McGraw-Hill Publications 1985-2010/Aug 02  
(c) 2010 McGraw-Hill Co. Inc

File 634:San Jose Mercury Jun 1985-2010/Jul 30  
(c) 2010 San Jose Mercury News

File 810:Business Wire 1986-1999/Feb 28  
(c) 1999 Business Wire

File 813:PR Newswire 1987-1999/Apr 30  
(c) 1999 PR Newswire Association Inc

File 625:American Banker Publications 1981-2008/Jun 26  
(c) 2008 American Banker

File 637:Journal of Commerce 1986-2010/Jul 31  
(c) 2010 UBM Global Trade

Set Items Description

S1 832896 (ACTION OR MARKETING)(8N)(PLAN OR PLANS)

S2 1174632 (FINANCIAL OR PRICE OR PRICES)(8N)(RISK OR RISKS)

S3 35579 RISK(8N)(SCORING OR SCORE OR SCORES)

S4 33338 (S1:S3)(8N)(DEVELOPING OR CREATING OR CONSTRUCTING OR CALCULATING)

S5 2953043 CROP OR CROPS OR AGRICULTURE  
S6 2541726 FARM OR FARMS OR FARMING  
S7 539373 (NUMERIC OR INCOME OR REVENUE?)(8N)(VALUE OR VALUES OR VAL-  
UING)  
S8 117773 OVERALL(8N)(RISK OR RISKS)  
S9 519 AU=(MURPHY, G? OR MURPHY G? OR GERALD(2N)MURPHY)  
S10 333 S4(S)(S5 OR S6)  
S11 2 S10(S)S7  
S12 2 S10(S)S8  
S13 2 S12 NOT S11  
S14 2 RD (unique items)  
S15 2018960 S1:S3  
S16 19325 S15(S)(S5 OR S6)  
S17 132 S16(S)S7  
S18 7 S17(S)S8  
S19 7 RD (unique items)  
S20 0 S9(S)S4  
S21 0 S9(S)S15

11/3,K/1 (Item 1 from file: 349)  
DIALOG(R)File 349: PCT FULLTEXT  
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00994559 \*\*Image available\*\*  
DIGITAL OPTIONS HAVING DEMAND-BASED, ADJUSTABLE RETURNS, AND TRADING  
EXCHANGE THEREFOR  
OPTIONS NUMERIQUES A RETOURS AJUSTABLES BASEES SUR LA DEMANDE ET BOURSE  
D'ECHANGES COMMERCIAUX AFFERENTE

Patent Applicant/Assignee:

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Inventor(s):

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Legal Representative:

WEISS Charles A (et al) (agent), Kenyon & Kenyon, One Broadway, New  
York, NY 10004, US,

Patent and Priority Information (Country, Number, Date):

Patent: WO 200323575 A2-A3 20030320 (WO 0323575)

Application: WO 2002US30309 20020909 (PCT/WO US02030309)

Priority Application: US 2001950498 20010910

Designated States:

(Protection type is "patent" unless otherwise stated - for applications  
prior to 2004)

AE AG AL AM AT AU AZ BA BB BG BR BY BZ CA CH CN CO CR CU CZ DE DK DM DZ  
EC EE ES FI GB GD GE GH GM HR HU ID IL IN IS JP KE KG KP KR KZ LC LK LR

LS LT LU LV MA MD MG MK MN MW MX MZ NO NZ OM PH PL PT RO RU SD SE SG SI  
SK SL TJ TM TN TR TT TZ UA UG UZ VC VN YU ZA ZM ZW

(EP) AT BE BG CH CY CZ DE DK EE ES FI FR GB GR IE IT LU MC NL PT SE SK TR  
(OA) BF BJ CF CG CI CM GA GN GQ GW ML MR NE SN TD TG

(AP) GH GM KE LS MW MZ SD SL SZ TZ UG ZM ZW

(EA) AM AZ BY KG KZ MD RU TJ TM

Publication Language: English  
Filing Language: English  
Fulltext Word Count: 122079

Fulltext Availability:

[Detailed Description](#)  
[Claims](#)

Claim

... Trading Start Date: 8/18/99, Market Open  
Trading End Date: 8/18/99, Market Close  
Expiration: 8/19/99, Market Close  
Event: MSFT Closing **Price** at Expiration  
Trading Time: 1 day  
Duration to TED: 1 day  
Dividends Payable ...example, digital  
options traded in a demand-based market or auction can be based on an  
underlying event defined as the joint observation of non-  
**farm** payrolls and the unemployment rate. - 83  
Example 3 7: Co!porate Bond Credit ...include, for example, the  
following U.S. federal government and U.S. and foreign private  
C) Ln  
agency statistics:  
Employment, National Output, and Income (Non-**farm**  
Payrolls, ...Existing Home Sales, Current Account Balance,  
Employment Cost Index, Consumer Price Index, Federal Funds Target Rate  
Agricultural statistics released by the U.S.D.A. (**crop**  
reports, etc.)  
The National Association of Purchasing Management (NAPM) survey of  
manufacturing  
Standard and Poor's Quarterly Operating Earnings of the S&P 500  
The...measuring, for example, the rate of inflation or other relevant  
variables. The followinrc information describes such a group of claims:  
Economic Statistic: United States Non-**Farm** Payrolls  
Announcement Date: 5/31/99  
5 Last Announcement Date: 4/30/99  
Expiration: Announcement ...as illustrated, in Table 3 8-1 in percentage  
changes from the last observation as follows:  
20  
Table 3 8-1 Illustrative Returns For Non-**Farm** Payrolls  
Release  
with 2% Transaction Fee  
% Chg. In Index Investment in State State Returns Implied State  
Probability  
State (cooo)  
[-100,51 100 979 0  
(-5...a quarterly basis for publicly traded companies, have assumed  
increasing importance as more companies forego dividends to reinvest in  
continuing operations. Without dividends, the present  
**value** of an equity becomes entirely dependent on  
**revenues** and earnings streams that extend well into  
the future, causing the equity itself to take on the characteristics of

an option. As expectations of future...

11/3,K/2 (Item 1 from file: 20)  
DIALOG(R)File 20: Dialog Global Reporter  
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35059705  
Market Drivers For India: Low Access Price, Broad Service Range And  
Value-additions  
FINANCIAL EXPRESS  
April 18, 2004  
JOURNAL CODE: WFEX LANGUAGE: English RECORD TYPE: FULLTEXT  
WORD COUNT: 669

... it up. Finally, in the area of public services, the report underlines the need for creating a certification program for e-education courses and content; **developing** time-bound **action plan** for incorporating ICT in school-level teaching curriculum; reviewing medico-legal laws to incorporate impact of e-health and telemedicine; and detailed e-governance and...

14/3,K/1 (Item 1 from file: 349)  
DIALOG(R)File 349: PCT FULLTEXT  
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01197286 \*\* Image available\*\*  
REPLICATED DERIVATIVES HAVING DEMAND-BASED, ADJUSTABLE RETURNS, AND TRADING EXCHANGE THEREFOR  
PRODUITS DERIVES REPLICUES A RENDEMENTS AJUSTABLES, BASES SUR LA DEMANDE, ET ECHANGES COMMERCIAUX ASSOCIES

Patent Applicant/Assignee:  
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Patent Applicant/Inventor:  
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Legal Representative:  
WEISS Charles A et al (agent), Kenyon & Kenyon, One Broadway, New York, NY 10004, US

Patent and Priority Information (Country, Number, Date):

Patent: WO 200503928 A2-A3 20050113 (WO 0503928)

Application: WO 2004US4553 20040211 (PCT/WO US2004004553)

Priority Application: US 2003365033 20030211

Designated States:

(All protection types applied unless otherwise stated - for applications 2004+)

AE AG AL AM AT AU AZ BA BB BG BR BW BY BZ CA CH CN CO CR CU CZ DE DK DM DZ EC EE EG ES FI GB GD GE GH GM HR HU ID IL IN IS JP KE KG KP KR KZ LC LK LR LS LT LU LV MA MD MG MK MN MW MX MZ NA NI NO NZ OM PG PH PL PT RO RU SC SD SE SG SK SL SY TJ TM TN TR TT TZ UA UG US UZ VC VN YU ZA ZM ZW (EP) AT BE BG CH CY CZ DE DK EE ES FI FR GB GR HU IE IT LU MC NL PT RO SE SI SK TR

(OA) BF BJ CF CG CI CM GA GN GQ GW ML MR NE SN TD TG

(AP) BW GH GM KE LS MW MZ SD SL SZ TZ UG ZM ZW

(EA) AM AZ BY KG KZ MD RU TJ TM

Publication Language: English

Filing Language: English

Fulltext Word Count: 130069

Fulltext Availability:

Detailed Description

Detailed Description

... based transaction, the return estimates.

In further preferred embodiments of a demand-based trading apparatus of the present invention, maintaining the trade status database-includes **calculating risk** estimates; and processing the demand-based transaction includes providing, responsive to the demand-based transaction, the risk estimates.

In further preferred embodiments of a demand...a DBAR exchange may be allowed to use limited leverage, subject to real-time margin monitoring, including calculation of a trader's impact on the **overall** level of credit **risk** in the

DBAR system and the particular group of contingent claims. These risk management calculations should be significantly more tractable and transparent than the types...

14/3,K/2 (Item 2 from file: 349)

DIALOG(R)File 349: PCT FULLTEXT

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00942062 \*\*Image available\*\*

DIGITAL OPTIONS HAVING DEMAND-BASED, ADJUSTABLE RETURNS, AND TRADING EXCHANGE THEREFOR

OPTIONS NUMERIQUES COMPORTANT DES RETOURS AJUSTABLES A BASE DE DEMANDE ET  
BOURSE D'ECHANGE A CET EFFET

Patent Applicant/Assignee:

LONGITUDE INC, 650 Fifth Avenue, New York, NY 10019, US, US (Residence),  
US (Nationality)

Inventor(s):

LANGE Jeffrey, 3 East 84th Street, Apt. 3, New York, NY 10028, US,

Legal Representative:

WEISS Charles A (et al) (agent), Kenyon & Kenyon, One Broadway, New  
York, NY 10004, US,

Patent and Priority Information (Country, Number, Date):

Patent: WO 200274047 A2-A3 20020926 (WO 0274047)

Application: WO 2002US7480 20020311 (PCT/WO US0207480)

Priority Application: US 2001809025 20010316

Designated States:

(Protection type is "patent" unless otherwise stated - for applications  
prior to 2004)

AE AG AL AM AT AU AZ BA BB BG BR BY BZ CA CH CN CO CR CU CZ DE DK DM DZ  
EC EE ES FI GB GD GE GH GM HR HU ID IL IN IS JP KE KG KP KR KZ LC LK LR  
LS LT LU LV MA MD MG MK MN MW MX MZ NO NZ OM PH PL PT RO RU SD SE SG SI  
SK SL TJ TM TN TR TT TZ UA UG UZ VN YU ZA ZM ZW  
(EP) AT BE CH CY DE DK ES FI FR GB GR IE IT LU MC NL PT SE TR  
(OA) BF BJ CF CG CI CM GA GN GQ GW ML MR NE SN TD TG  
(AP) GH GM KE LS MW MZ SD SL SZ TZ UG ZM ZW  
(EA) AM AZ BY KG KZ MD RU TJ TM

Publication Language: English

Filing Language: English

Fulltext Word Count: 85860

Fulltext Availability:

Detailed Description

Claims

Claim

... to

use limited leverage, subject to real-time margin monitoring, including  
the calculation of a trader's impact on the overall level of credit

**risk** in the

DBAR system and the particular group of contingent claims. These risk  
management calculations should be significantly more tractable and  
transparent than the types...

19/3,K/1 (Item 1 from file: 20)  
DIALOG(R)File 20: Dialog Global Reporter  
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64294063 (USE FORMAT 7 OR 9 FOR FULLTEXT)  
Event Brief of Q1 2008 PartnerRe Ltd. Earnings Conference Call - Part 1  
FAIR DISCLOSURE WIRE

April 29, 2008

JOURNAL CODE: WFDW LANGUAGE: English RECORD TYPE: FULLTEXT

WORD COUNT: 4217

... down, whether realized or unrealized can be seen in income statement. 3. While adoption of FAS-157 and 159 will generally add volatility to net **income**, it will have no impact on book **value** as that metric already reflects market value of assets. 4. Will continue to exclude realized and unrealized gains from calculation of operating income. 3. Given...and cash, \$12.2b vs. \$11.6b at 12/31/07. 1. Growth in 1Q08 was due to: 1. New cash flow. 2. Reinvested portfolio **income**. 3. Increase in market **value** of fixed **income** securities and FX partially offset by decreases in market value of equities. 3. Although asset allocation at 03/31/08 was generally similar to allocation...

... business and geographies are becoming more competitive with prices declining. 1. Most recent example is 04/01/08 renewals in Japan, Korea, and China, where **prices** continue to erode. 1. Exposure to wind **risk** in Asia continues to decline. 2. Does not see any change in competitive environment for this year, nor at 01/01/09 renewals. 3. This...and two years. 1. Expects to achieve it again in 2008 barring a large number of major loss events. 2. Will do that without increasing **overall risk** profile of

Co. QUESTION AND ANSWER SUMMARY OPERATOR: (OPERATOR INSTRUCTIONS) Jay Gelb with Lehman Brothers. JAY GELB, ANALYST, LEHMAN BROTHERS: Thanks and good morning. First...

19/3,K/2 (Item 2 from file: 20)  
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64293894 (USE FORMAT 7 OR 9 FOR FULLTEXT)  
Q1 2008 PartnerRe Ltd. Earnings Conference Call - Part 1  
FAIR DISCLOSURE WIRE  
April 29, 2008  
JOURNAL CODE: WFDW LANGUAGE: English RECORD TYPE: FULLTEXT  
WORD COUNT: 4460

(USE FORMAT 7 OR 9 FOR FULLTEXT)

... our invested assets, whether up or down, whether realized or unrealized. While the adoption of FAS 157 and 159 will generally add volatility to net **income**, it will have no impact on book **value**, as that metric already reflects the market value of assets; and we will continue to exclude realized and unrealized gains from our calculation of operating...

... per share. The decline from the prior year is explained by lower

pricing, a higher frequency of losses, and a higher tax charge. However, comprehensive **income**, which substantially captures all items that affect book **value**, was \$190 million. Let's move on to the balance sheet, which grew this quarter to \$17.3 billion due to the growth in asset...

...2 billion compared to \$11.6 billion at December 31 of '07. The growth in the quarter was due to new cash flow, reinvested portfolio **income**, and increase in the market **value** of the fixed **income** securities and FX, partially offset by decreases in the market value of the equities. Our new financial supplement contains a fair amount of detail on...

19/3,K/3 (Item 3 from file: 20)  
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56855363  
Biofutures Intl plc - Final Results  
AFX CNF  
June 21, 2007  
JOURNAL CODE: WCNF LANGUAGE: English RECORD TYPE: FULLTEXT  
WORD COUNT: 9239

...Board have considered the future operational profitability over the next 10 years, discounted at a rate of 10%, which will be higher than the carrying **values** detailed above. 11 Deferred **income** tax The net movement on the deferred income tax account is as follows: #'000 On acquisition of Zurex (Note 10) 4,650 Period ended 31...

19/3,K/4 (Item 4 from file: 20)  
DIALOG(R)File 20: Dialog Global Reporter  
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55010636  
Hardy Underwriting - For the year ended 31 Dec '06  
AFX CNF  
March 22, 2007  
JOURNAL CODE: WCNF LANGUAGE: English RECORD TYPE: FULLTEXT  
WORD COUNT: 16439

... from increases in interest rates in the UK and US markets. Whilst

beneficial to deposit rates, higher interest rates have a negative effect on capital **values** of fixed **income** securities. This was particularly marked in the sterling portfolio, which yielded 3.4% for 2006 compared to 5.0% for 2005. Expenses Other operating expenses... value of the deferred consideration payable will be reassessed in each period until the closure of the underwriting year, with any variance from the fair **value** initially assessed being recognised in the **income** statement. This brings the total cost to acquire 100% of syndicate 382's capacity to AGBP15.5 million, representing an average cost of 14.1... convention The consolidated financial statements are prepared on the historical cost basis, as modified by the revaluation of financial assets (including derivative instruments) at fair **value** through the **income** statement. Estimates The preparation of financial statements in conformity with IFRS requires management to make judgements, estimates and assumptions that affect the application of policies...for unexpired risks is calculated separately by reference to classes of business which are managed together, after taking into account relevant investment return. f. Financial **income** Financial **income** comprises all investment **income** and fair **value** gains on financial assets. Fair **value** gains include both those realised on disposal of financial assets and those unrealised, representing the movement in the fair value of financial assets held at... shares under the Deferred Annual Bonus ("DAB") scheme retain the right to vote and receive dividends and are not subject to vesting conditions. The fair **value** of deferred share awards is charged to the **income** statement on grant. Awards of matching shares under the DAB scheme do not retain the right to vote and receive dividends. Matching share awards are...

... Trade and other receivables are stated at their cost less impairment losses. r. Financial assets The Group classifies its investments as financial assets at fair **value** through the **income** statement. Management determines the classification of investments at initial recognition. Purchases of financial assets are recognised on the trade date, which is when the Group ...

... listed investments are based on quoted bid prices at the close of business on the balance sheet date. s. Derivative financial instruments The Group uses **financial** instruments to manage its exposure to foreign exchange **risk** arising from insurance operations. Forward exchange contracts are measured at fair value. The gain or loss on re-measurement to fair **value** is recognised in the **income** statement. Fair **value** is the rate at which a forward exchange contract with equivalent terms could be entered into at the reporting date. The Group does not use...fair value, net of transaction costs incurred. The loan is subsequently stated at amortised cost. Any difference between the initial carrying amount and the redemption **value** is recognised in the **income** statement over the period of the borrowings using the effective interest method. w. Provisions A provision is recognised in the balance sheet when the Group...cash equivalents interest income 1,133

1,203 Realised (loss) / gain on investments (273) 314 Unrealised gains on financial assets at fair 948 1,443 **value** through the **income** statement Foreign exchange gains / (losses) on forward 39 (528) contracts ----- 6,025 5,043 ----- 7 Other operating income Year ended Year ended 31 December 31...61,802 58,415 Foreign exchange contracts - 67 Other 1,431 682 ----- 74,676 71,499 ----- The Group has designated all financial assets at fair **value** through the **income** statement. The equity, variable yield securities, debt and fixed income securities are all listed on a recognised stock exchange. Other financial assets represent the Group...Number of options issued 76,131 Share price at the date of grant AGBP2.25 Exercise price AGBP2.02 Standard deviation of expected share 15% **price** returns Option life 3 years Annual **risk** free interest rate 4.5% Dividend yield 3.7% 32 Commitments Non-cancellable operating lease rentals are payable as follows: Year ended Year ended 31...

19/3,K/5 (Item 5 from file: 20)  
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49910118  
PARTNERRE LTD  
EDGAR ONLINE  
July 02, 2006  
JOURNAL CODE: CXEO LANGUAGE: English RECORD TYPE: FULLTEXT  
WORD COUNT: 4111

...2005 when the Company's book value per share declined by 12.6% as a result of the significant catastrophic events of the year. Book **value** is impacted by the Company's net **income** and external factors such as interest rates, which can drive changes in unrealized gains or losses on its investment portfolio. Dividend policy: Management considers its...

...determining the transaction's ROE. Subject to an adequate return for the risk level as well as other factors, such as the contribution of each **risk** to the **overall risk**<  
**/ B> level and risk diversification, capital is allocated to the ...i) allocating an appropriate amount of capital to each transaction based on the incremental risk created by the transaction, (ii) properly estimating the Company's overall risk level and the impact of each transaction to the overall risk level, and (iii) assessing the diversification benefit, if any, of each transaction. The risk for the Company lies in mis-estimating any one of these...**

19/3,K/6 (Item 6 from file: 20)  
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49455575 (USE FORMAT 7 OR 9 FOR FULLTEXT)  
Event Brief of Q4 2005 PartnerRe Ltd. Earnings Conference Call - Part 1  
FAIR DISCLOSURE WIRE  
February 07, 2006  
JOURNAL CODE: WFDW LANGUAGE: English RECORD TYPE: FULLTEXT  
WORD COUNT: 4425

... loss coverages generally entail real risk transfers that freeze up expensive capital for the ceding companies, and so they are willing to pay an adequate **price** for this **risk** transfer (excess of loss tends to have a higher expected profit and margin, albeit, with greater potential volatility). 2. There is substantially more dispersion of... a small base. 1. As these results are generally uncorrelated with the Co.'s non-Life operations, they help reduce its volatility. 2. Summary: 1. **Overall**, the Co. believes that its current level of **risk** is proportionate to its return goals. 2. The Co. believes that over time, the real measure of success in the reinsurance business is not the...

19/3,K/7 (Item 1 from file: 15)  
DIALOG(R)File 15: ABI/Inform(R)  
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04732670 1604574261  
Event Brief of Q1 2008 PartnerRe Ltd. Earnings Conference Call - Final  
Anonymous  
Fair Disclosure Wire PP: n/a Apr 29, 2008  
JRNL CODE: FDCW  
WORD COUNT: 7595

...TEXT: of favorable development from prior years. 3. US Segment: 1. Showed largest growth in premiums entirely on the strength of new agricultural business. 1. Absent **agriculture**, net premiums written would have been down [from] 2.4%. 1. In Ag, Co. has underwritten contracts estimated to bring in \$285m of annual premium this year vs. \$124m in 2007. 2. This increases Co.'s exposure to commodity **price risks** for **crops** such as corn, wheat, and soybeans in addition to

drought and other typical agricultural risks. 3. This is a well-structured risk assumed within **Federal Crop Insurance Program**.

4. Views this risk class to be less correlated with traditional risks.  
5. It therefore enhances portfolio stability at a time when softening...markets, execution of ILS strategy is very promising. 1.  
While Co. does not issue insurance-linked securities, views them as an opportune way to shape **overall** reinsurance **risk** portfolio. 2. Believes has a competitive advantage in evaluation and management of an ILS portfolio, and is trading these securities on Co.'s accounts. 3...

...4. Co.'s major risk classes are esoteric asset-backed or structured debt securities although Co. may also acquire distressed assets where Co. believes the **price** provides attractive **risk**-return opportunities. 1. The bulk of the volatility in returns for this asset class is expected to derive from changes in market spreads, which ultimately...

...down, whether realized or unrealized can be seen in income statement. 3. While adoption of FAS-157 and 159 will generally add volatility to net **income**, it will have no impact on book **value** as that metric already reflects market value of assets. 4. Will continue to exclude realized and unrealized gains from calculation of operating income. 3. Given...and cash, \$12.2b vs. \$11.6b at 12/31/07. 1. Growth in 1Q08 was due to: 1. New cash flow. 2. Reinvested portfolio **income**. 3. Increase in market **value** of fixed **income** securities and FX partially offset by decreases in market value of equities. 3. Although asset allocation at 03/31/08 was generally similar to allocation...



## **V. Additional Resources Searched**

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